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5 *Attorneys for Defendants*

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE DISTRICT OF ARIZONA

9 Jason Crews,  
10 Plaintiff,  
11 v.  
12 Symmetry Financial Group, LLC  
and Brandon Ellison,  
13 Defendants.

No. 2:25-cv-00376-CDB  
DEFENDANTS SYMMETRY  
FINANCIAL GROUP, LLC AND  
BRANDON ELLISON'S MOTION FOR  
ADDITIONAL TIME TO RESPOND TO  
COMPLAINT  
(First Request)

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1       1. Pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule  
2 7.3, Defendants Symmetry Financial Group, LLC and Brandon Ellison hereby move  
3 for a brief extension of time—through April 30, 2025, roughly 30 days—in which  
4 to answer or otherwise respond to Plaintiff’s Complaint. For the reasons described  
5 below, good cause exists to grant this modest extension.

6       2. Plaintiff served Symmetry with his Complaint on March 10, 2025,  
7 making Symmetry’s responsive pleading deadline March 31, 2025. ECF No. 12.  
8 Symmetry’s deadline has not passed.

9       3. Plaintiff served Ellison with his Complaint on March 15, 2024,  
10 making Ellison’s responsive pleading deadline April 5, 2024. ECF No. 13.  
11 Ellison’s deadline has not passed.

12       4. Symmetry, Ellison, and their counsel are working diligently to  
13 investigate the allegations in the Complaint, obtain the information necessary to  
14 respond to those allegations, and prepare the appropriate responsive pleading but  
15 need more time to do so.

16       5. That is especially true given: (a) the fact that Symmetry and Ellison  
17 only recently retained counsel; and (b) several scheduling conflicts for Defendants’  
18 attorneys, including preparing for an upcoming trial in the United States District  
19 Court for the Western District of Kentucky. Defendants thus bring this motion in  
20 good faith and not for purposes of delay.

21       6. Rule 6(b) of the Federal Rules of Civil Procedure vests this Court with  
22 the discretion to grant this extension. Fed. R. Civ. P. 6(b); *see also Ahanchian v.*  
23 *Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010) (Rule 6 is “a non-rigorous  
24 standard” and a request for extension should “be granted in the absence of bad faith  
25 on the part of the party seeking relief or prejudice to the adverse party.”).

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7. This is also Symmetry and Ellison's first request for an extension and no prejudice will result from granting it. The Court has not entered a scheduling order yet, so no other upcoming deadlines will be impacted by the extension.

8. Nor will the extension prejudice Plaintiff, who consents to the relief requested in full.

9. A proposed order is filed concurrently with this motion in accordance with Rule 7.1(b)(3).

Symmetry and Ellison accordingly request that the Court grant this motion and allow them until April 30, 2025, to answer, move, or otherwise respond to the Complaint.

DATED: March 27, 2025.

Respectfully submitted,

*s/ Matthew A. Keilson*  
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\* *pro hac vice* applications  
forthcoming

*Attorneys for Defendants  
Symmetry Financial Group, LLC  
and Brandon Ellison*

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on March 27, 2025, I caused a true and correct copy of  
3 the foregoing document to be served via the Court's electronic case management  
4 and filing system upon all counsel of record.

5                   */s/ Matthew A. Keilson*

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